

Legislation restores “honest services” tool used to convict former IL Governor George Ryan, not available to prosecutors for Blagojevich trial

WASHINGTON —Today, bipartisan legislation authored by U.S. Representative Mike Quigley (IL-05) to fight public corruption was approved by the House Judiciary Committee as part of the Clean Up Government Act ([H.R. 2572](#)). Rep. Quigley, a lead author of the bill, crafted the legislation in response to numerous recent government scandals, including several in Illinois involving former Governors George Ryan and Rod Blagojevich, whose sentencing is scheduled for next week.

“For me, this bill is personal. When four of Illinois’ last eight governors have gone to prison on corruption charges, and two of my own predecessors have been convicted for the same, enough is enough,” said Rep. Quigley, whose 5th Congressional District was previously represented by Rod Blagojevich and Dan Rostenkowski. “Americans’ faith in government is at an all time low, and until we restore the public’s trust, we can’t lead or make the tough choices necessary to move forward. This legislation will help ensure that the work conducted by elected officials benefits the taxpayers, not themselves.”

The bipartisan bill, introduced with Rep. Jim Sensenbrenner (R-WI), restores a tool prosecutors across the country have used for decades to root out and respond to public corruption. The statute, commonly referred to as the “honest services provision,” requires public officials to disclose potential conflicts of interest and prohibits them from using their elected positions for personal gain.

Former Governor George Ryan was convicted under the provision and Rod Blagojevich was charged under it, but the provision was not available to the prosecution after the United States Supreme Court ruled that the statute does not apply to prosecutions involving undisclosed self-dealing by a public official, but only to cases that involve traditional bribery or kickback schemes.

Many instances of public corruption do not involve a quid-pro-quo bribery or extortion scenario, but rather public officials who exploit their positions and influence to obtain benefit from an undisclosed financial interest in a matter. The Clean Up Government Act addresses these issues, as well as those of public officials who accept gratuities simply because of their official

position, and amends the definition of “official act” to include conduct that falls within the range of official duties of the public official.

The bill includes a number of other vital tools to fight public corruption, namely, a provision to prevent public officials from receiving gifts because of their positions and a provision that makes clear that government officials who accept private compensation for using the powers their jobs afford them may be subject to prosecution.

Complete text of the Clean Up Government Act (H.R. 2572) can be found [here](#).

Congressman Quigley has been committed to good government reform throughout his two terms in Congress, where he sits on the House Committees on the Judiciary and Oversight and Government Reform. He founded the bipartisan [Transparency Caucus](#) and introduced a bill to provide every taxpayer with a receipt detailing how their tax dollars are spent. He recently released [Reinventing](#)

[Government: The Federal Budget Parts I and II](#)

to establish transparency in the budget process, and subsequently, offered 60 recommendations to save \$2 trillion over the next 10 years.

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